



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Douglas A. RUSSELL *et al.*

Group Art Unit: 1637

Appln. No.: 09/824,200

Examiner: Jeffrey Norman Fredman

Filed: April 3, 2001

Atty. Docket: 18337.006

For: **Expression and Purification of
Bioactive, Authentic Polypeptides
from Plants**

Confirmation No.: 5401

INFORMATION DISCLOSURE STATEMENT

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The attention of the Examiner is invited to the references listed on the attached Form PTO-1449. Copies of the listed references are either submitted herewith or were previously cited by or submitted to, the Office in a prior application. Pursuant to 37 C.F.R. §1.97(d) and MPEP §609, the prior application is identified by its U.S. Application Number in this Information Disclosure Statement on the attached Form PTO-1449, and the above-captioned application relies on the prior application for an earlier filing date under 35 U.S.C. §120.

It is respectfully requested that the information above be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

CERTIFICATION AND/OR FEE

Because this Information Disclosure Statement is being submitted herewith a request for continued examination under 37 C.F.R. §1.114 in the above-captioned application, no certification or fee is required.

Respectfully submitted,

David R. Marsh (Reg. Attorney No. 41,408)

Kristan L. Lansbery (Reg. Agent No. 53,183)

Date: August 11, 2003

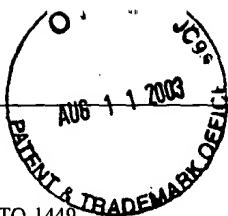
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	REFERENCE PROVIDED*	
	AA1	5,627,061	5/1997	Barry et al.	submitted herewith	
	AB1	5,773,705	6/1998	Callis	Appl. No. 09/113,244	
	AC1	5,015,580	5/1991	Christou et al.	Appl. No. 09/113,244	
	AD1	5,693,507	12/1997	Daniell et al.	Appl. No. 09/113,244	
	AE1	5,424,199	6/1995	Goeddel et al.	Appl. No. 09/113,244	
	AF1	6,417,429	7/2002	Hein et al.	submitted herewith	
	AG1	5,202,422	4/1993	Hiatt et al.	submitted herewith	
	AH1	5,416,011	5/1995	Hinchee et al.	Appl. No. 09/113,244	
	AI1	5,474,913	12/1995	Kurono et al.	Appl. No. 09/316,847	
	AJ1	5,455,030	10/1995	Ladner et al.	submitted herewith	
	AK1	5,877,402	3/1999	Maliga et al.	Appl. No. 09/113,244	
	AL1	5,576,198	11/1996	McBride et al.	Appl. No. 09/113,244	
	AM1	5,378,619	1/1995	Rogers	Appl. No. 09/113,244	
	AN1	5,677,474	10/1997	Rogers	submitted herewith	
	AO1	6,018,100	1/2000	Rogers	submitted herewith	
	AP1	6,080,560	6/2000	Russell et al.	submitted herewith	
	AQ1	4,945,050	7/1990	Sanford et al.	submitted herewith	
	AR1	5,116,944	5/1992	Sivam et al.	submitted herewith	
	AS1	4,810,648	3/1989	Stalker et al.	submitted herewith	
	AT1					

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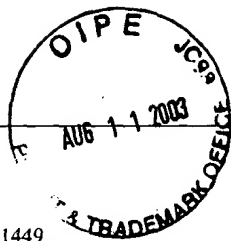
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	REFERENCES PROVIDED*	TRANSLATION
	AA2	2 188 220	4/1998	CA	Appl. No. 09/113,244	Yes No
	AB2	0 301 749 B1	2/1989	EP	submitted herewith	Yes No
	AC2	0 520 962 B1	12/1992	EP	submitted herewith	Yes No
	AD2	2183660A	6/1987	GB	Appl. No. 09/113,244	Yes No
	AE2	97/42313	11/1997	WO	Appl. No. 09/113,244	Yes No
	AF2	88/02406	4/1988	WO	Appl. No. 09/316,847	Yes No
	AG2	88/07089	9/1988	WO	submitted herewith	Yes No
	AH2	89/09829	10/1989	WO	Appl. No. 09/113,244	Yes No
	AI2	91/02800	3/1991	WO	Appl. No. 09/113,244	Yes No
	AJ2	91/13993	9/1991	WO	Appl. No. 09/113,244	Yes No
	AK2	92/15675	9/1992	WO	Appl. No. 09/113,244	Yes No
	AL2	95/16783	6/1995	WO	Appl. No. 09/113,244	Yes No
	AM2	95/24492	9/1995	WO	Appl. No. 09/113,244	Yes No
	AN2	97/17453	5/1997	WO	Appl. No. 09/113,244	Yes No
	AO2	98/06860	2/1998	WO	Appl. No. 09/113,244	Yes No
	AP2	98/11235	3/1998	WO	Appl. No. 09/113,244	Yes No
	AQ2	98/26083	6/1998	WO	Appl. No. 09/113,244	Yes No
	AR2	98/31823	7/1998	WO	Appl. No. 09/113,244	Yes No
	AS2	98/58069	12/1998	WO	Appl. No. 09/113,244	Yes No
	AT2	99/10513	3/1999	WO	Appl. No. 09/113,244	Yes No
	AU2					Yes No

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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PROVIDED*

AA

3

Abbe and Stein, "The Growth of the Shoot Apex in Maize: Embryogeny", *Amer. J. Bot.*, Vol. 41(4), pp. 285-293 (1954)submitted
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AB

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Alberts et al., *Molecular Biology of The Cell, Second Edition*, Second Edition, Chapter 3, Table 3-1, p. 88 (1989)submitted
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AC

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Baker, "Protein expression using ubiquitin fusion and cleavage", *Current Opinion in Biotechnology*, Vol. 7(5), pp. 541-546 (1996)Appl. No.
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Bassham et al., "Transport of proteins into chloroplasts", *The Journal of Biological Chemistry*, Vol. 266(35), pp. 23606-23610 (1991)Appl. No.
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AE

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Belanger and Kriz, "Molecular Basis for Allelic Polymorphism of the Maize Globulin-1 Gene", *Genetics*, Vol. 129(3), pp. 863-871 (1991)submitted
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Blowers et al., "Studies on Chlamydomonas chloroplast transformation: Foreign DNA can be stably maintained in the chromosome", *The Plant Cell*, Vol. 1, pp. 123-132 (1989)Appl. No.
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Boutin et al., "Cloning and express of the rat prolactin receptor, a member of the growth hormone/prolactin receptor gene family", *Cell*, Vol. 53, p. 69 (1988)Appl. No.
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Boynton et al., "Chloroplast transformation by Chlamydomonas with high velocity microprojection", *Science*, Vol. 240, pp. 1534-1538 (1988)Appl. No.
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Callis et al., "Introns increase gene expression in cultured maize cells", *Genes & Dev.*, Vol. 1(10), pp. 1183-1200 (1987)submitted
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Chawla et al., "Structural variants of human growth hormone: biochemical, genetic, and clinical aspects", *Annual Review of Medicine*, Vol. 34, pp. 519-547 (1983)Appl. No.
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Christensen et al., "Maize polyubiquitin genes: structure, thermal perturbation of expression and transcript splicing, and promoter activity following transfer to protoplasts by electroporation", *Plant Mol. Biol.*, Vol. 18(4), pp. 675-689 (1992)submitted
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AL

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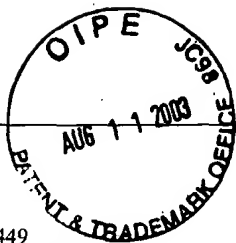
Cooley et al., "Molecular and genetic characterization of elite transgenic rice plants produced by electric-discharge particle acceleration", *Theor. Appl. Genet.*, Vol. 90, pp. 97-104 (1995)submitted
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Cooley et al., "Expression of biologically active single chain antibodies in soybean and corn", *Supp. To Plant Physiology*, Vol. 8(2), pp. (1995)submitted
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Daniell et al., "Foreign gene expression in chloroplasts of higher plants mediated by tungsten particle bombardment", *Methods in Enzymology*, Vol. 217, pp. 536-557 (1993)Appl. No.
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Daniell et al., "Containment of herbicide resistance through genetic engineering of the chloroplast genome", *Nature Biotechnology*, Vol. 16, pp. 345-348 (1998)Appl. No.
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De Block et al., "Chloroplast transformation by *Agrobacterium Tumefaciens*", *The EMBO Journal*, Vol. , pp. 1367-1372 (1985)Appl. No.
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De Neve et al., "Assembly of an antibody and its derived antibody fragment in *Nicotiana* and *Arabidopsis*", *Transgenic Research*, Vol. 2, pp. 227-237 (1993)submitted
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Edwards et al., "A newly defined property of somatotropin: Priming of macrophages for production of superoxide anion", *Science*, Vol. 239, pp. 769-771 (only page 769 submitted) (1988)Appl. No.
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Fargo et al., "Shine-Dalgarno-like sequences are not required for translation of chloroplast mRNAs in *Chlamydomonas reinhardtii* chloroplasts or in *Escherichia coli*", *Mol. Aen. Aenet.*, Vol. 257(3), pp. 271-282 (1998)Appl. No.
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Fiedler and Conrad, "High-level production and long-term storage of engineered antibodies in transgenic tobacco seeds", *Biotechnology*, Vol. 13(10), pp. 1090-1093 (1995)submitted
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Fromm et al., "Inheritance and Expression of Chimeric Genes in the Progeny of Transgenic Maize Plants", *Bio/Technology*, Vol. 8(9), pp. 833-839 (1990)submitted
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Gao and Lee, "Effect of Oxygen Supply on the Suspension Culture of Genetically Modified Tobacco Cells", *Biotechnol. Prog.*, Vol. 8(4), pp. 285-290 (1992)submitted
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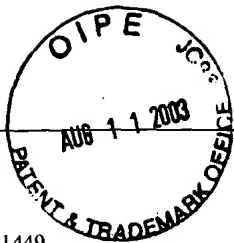
Gardner et al., "The complete nucleotide sequence of an infectious clone of cauliflower mosaic virus by M13mp7 shotgun sequencing", *Nucleic Acids Res.*, Vol. 9(12), pp. 2871-2888 (1981)submitted
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	AA	5	Gordon-Kamm et al., "Transformation of Maize Cells and Regeneration of Fertile Transgenic Plants", <i>Plant Cell</i> , Vol. 2(7), pp. 603-618 (1990)	submitted herewith
	AB	5	Gray et al., "Pseudomonas aeruginosa secretes and Correctly Processes Human Growth Hormone", <i>Bio/Technology</i> , Vol. , pp. 161-165 (1984)	Appl. No. 09/316,847
	AC	5	Green and Phillips, "Plant Regeneration from Tissue Cultures of Maize", <i>Crop Sci.</i> , Vol. 15, pp. 417-421 (1975)	submitted herewith
	AD	5	Hellström et al., "Highly Tumor-reactive Internalizing, Mouse Monoclonal Antibodies to Ley-related Cell Surface Antigens", <i>Cancer Res.</i> , Vol. 50(7), pp. 2183-2190 (1990)	submitted herewith
	AE	5	Herrera-Estrella et al., "Expression of chimaeric genes transferred into plant cells using a Ti-plasmid-derived vector", <i>Nature</i> , Vol. 303, pp. 209-213 (1983)	Appl. No. 09/113,244
	AF	5	Herrera-Estrella et al., "Light-inducible and chloroplast-associated expression of a chimaeric introduced into Nicotianatabacum using a Ti plasmid vector", <i>Nature</i> , Vol. 310, pp. 115-120 (1984)	Appl. No. 09/113,244
	AG	5	Horsch et al., "A Simple and general method for transferring genes into plants", <i>Science</i> , Vol. 227, pp. 1229-1231 (1985)	Appl. No. 09/113,244
	AH	5	Jefferson et al., "GUS fusions: b-glucuronidase as a sensitive and versatile gene fusion marker in higher plants", <i>The EMBO Journal</i> , Vol. 6(13), pp. 3901-3907 (1987)	submitted herewith
	AI	5	Klein et al., "Transformation of microbes, plants and animals by particle bombardment", <i>Bio/Technology</i> , Vol. 10, pp. 286-291 (1992)	Appl. No. 09/113,244
	AJ	5	Klein et al., "Factors Influencing Gene Delivery into Zea mays Cells by High-Velocity Microprojectiles", <i>Bio/Technology</i> , Vol. 6, pp. 559-563 (1988)	submitted herewith
	AK	5	Klein et al., "Transfer of foreign genes into intact maize cells with high-velocity microprojectiles", <i>Proceedings of the National Academy of Sciences of the USA</i> , Vol. 85, pp. 4305-4309 (1988)	submitted herewith
	AL	5	Konishi et al., "Transit peptides of thylakoid luminal proteins: the sites of stromal processing are conserved among higher plants", <i>Plant Cell Physiology</i> , Vol. 34(7), pp. 1081-1087 (1993)	Appl. No. 09/113,244

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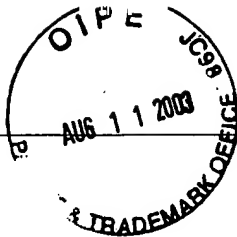
AA	6	Koziel et al., "Field Performance of Elite Transgenic Maize Plants Expressing an Insecticidal Protein Derived from <i>Bacillus thuringiensis</i> ", <i>Bio/Technology</i> , Vol. 11, pp. 194-200 (1993)	submitted herewith
AB	6	Krebbers et al., "Production of peptides in plant seeds", <i>Tibtech</i> , Vol. 8, pp. 1-3 (1990)	submitted herewith
AC	6	Leisy et al., "Expression of a rice glutelin promoter in transgenic tobacco", <i>Plant Mol. Biol.</i> , Vol. 14(1), pp. 41-50 (1989)	submitted herewith
AD	6	Leung et al., "Growth hormone receptor and serum binding protein: purification, cloning and expression", <i>Nature</i> , Vol. 330, pp. 537-543 (1987)	Appl. No. 09/113,244
AE	6	Maliga et al., "Towards plastid transformation in flowering plants", <i>Tibtech</i> , Vol. 11, pp. 101-107 (1993)	Appl. No. 09/113,244
AF	6	Marek et al., "Chlamydomonas chloroplast transformation using human carbonic anhydrase", <i>Plant Physiology</i> , Vol. 105, pp. 84 (1994)	Appl. No. 09/113,244
AG	6	McBride et al., "Controlled expression of plastid transgenes in plants based on a nuclear DNA-encoded and plastid-targeted T7 RNA polymerase", <i>Proceedings of the National Academy of Sciences of the USA</i> , Vol. 91, pp. 7301-7305 (1994)	Appl. No. 09/113,244
AH	6	McBride et al., "Amplification of a chimeric <i>Bacillus</i> gene in chloroplasts leads to an extraordinary level of an insecticidal protein in tobacco", <i>Bio/Technology</i> , Vol. 13, pp. 362-365 (1995)	Appl. No. 09/113,244
AI	6	McCain and Hodges, "Anatomy of Somatic Embryos from Maize Embryo Cultures", <i>Bot. Gaz.</i> , Vol. 147(4), pp. 453-460 (1986)	submitted herewith
AJ	6	Moore et al., "Equivalent Potency and Pharmacokinetics of Recombinant Human Growth Hormones with or without an N-Terminal Methionine", <i>Endocrinology</i> , Vol. 112(6), pp. 2920-2926 (1988)	Appl. No. 09/316,847
AK	6	Nicoll et al., "Structural features of prolactins and growth hormones that can be related to their biological properties", <i>Endocrine Reviews</i> , Vol. 7(2), pp. 169-203 (1986)	Appl. No. 09/113,244
AL	6	Okita et al., "Structure and Expression of the Rice Glutelin Multigene Family", <i>Biol. Chem.</i> , Vol. 264(21), pp. 12573-12581 (1989)	submitted herewith

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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)				REFERENCE PROVIDED*
AA	7	Rhodes et al., "Plant Regeneration from Protoplasts Isolated from Embryogenic Maize Cell Cultures", <i>Bio/Technology</i> , Vol. 6, pp. 56-60 (1988)		submitted herewith
AB	7	Russell et al., "The maize cytosolic glyceraldehyde-3-phosphate dehydrogenase gene family: organ-specific expression and genetic analysis", <i>Mol. Gen. Genet.</i> , Vol. 229, pp. 219-228 (1991)		submitted herewith
AC	7	Safford et al., "Regulated expression of the rat medium chain hydrolase gene in transgenic rape seed", <i>Transgenic Research</i> , Vol. , pp. 191-198 (1993)		Appl. No. 09/113,244
AD	7	Sanford et al., "Optimizing the biolistic process for different biological applications", <i>Methods in Enzymology</i> , Vol. 27, pp. 483-509 (1993)		Appl. No. 09/113,244
AE	7	Sheen, "Molecular Mechanisms Underlying the Differential Expression of Maize Pyruvate, Orthophosphate Dikinase Genes", <i>Plant Cell</i> , Vol. 3, pp. 225-245 (1991)		submitted herewith
AF	7	Shinozaki et al., "The complete nucleotide sequence of the tobacco chloroplast genome: its gene organization and expression", <i>The EMBO Journal</i> , Vol. 5(9), pp. 2043-2049 (1986)		Appl. No. 09/113,244
AG	7	Spencer et al., "Bialaphos selection of stable transformants from maize cell culture", <i>Theor. Appl. Genet.</i> , Vol. 79, pp. 625-631 (1990)		submitted herewith
AH	7	Staub et al., "Accumulation of D1 polypeptide in tobacco plastids is regulation via the untranslated region of the psbA mRNA", <i>The EMBO Journal</i> , Vol. 12(2), pp. 601-606 (1993)		Appl. No. 09/113,244
AI	7	Svab et al., "Stable transformation of plastids in higher plants", <i>Proceedings of the National Academy of Sciences of the USA</i> , Vol. 87, pp. 8526-8530 (1990)		Appl. No. 09/113,244
AJ	7	Svab et al., "High-frequency plastid transformation in tobacco by selection for a chimeric aadA gene", <i>Proceedings of the National Academy of Sciences of the USA</i> , Vol. 90, pp. 913-917 (1993)		Appl. No. 09/113,244
AK	7	Trail et al., "Cure of Xenografted Human Carcinomas by BR96-Doxorubicin Immunoconjugates", <i>Science</i> , Vol. 261, pp. 212-215 (1993)		submitted herewith
AL	7	van den Elzen et al., "A chimaeric hygromycin resistance gene as a selectable marker in plant cells", <i>Plant Mol. Biol.</i> , Vol. 5, pp. 299-302 (1985)		submitted herewith

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	AB	8	Waldron et al., "Resistance to hygromycin B", <i>Plant Mol. Biol.</i> , Vol. 5, pp. 103-108 (1985)	submitted herewith
	AC	8	Wells et al., "Binding in the growth hormone receptor complex", <i>Proceedings of the National Academy of Sciences of the USA</i> , Vol. 93, pp. 1-6 (1996)	Appl. No. 09/113,244
	AD	8	Yanisch-Perron et al., "Improved M13 phage cloning vectors and host strains: nucleotide sequences of the M13mp18 and pUC19 vectors", <i>Gene</i> , Vol. 33, pp. 103-119 (1985)	submitted herewith
	AE	8	Ye et al., "Optimization of delivery of foreign DNA into higher-plant chloroplasts", <i>Plant Mol. Biol.</i> , Vol. 15, pp. 809-819 (1990)	Appl. No. 09/113,244
	AF	8	Zheng et al., "5' distal and proximal cis-acting regulator elements are required for developmental control of a rice seed storage protein glutelin gene", <i>Plant J.</i> , Vol. 4(2), pp. 357-366 (1993)	submitted herewith
	AG	8	Zheng et al., "The Bean Seed Storage Protein β -Phaseolin Is Synthesized, Processed, and Accumulated in the Vacuolar Type-II Protein Bodies of Transgenic Rice Endosperm", <i>Plant Physiology</i> , Vol. 109, pp. 777-786 (1995)	submitted herewith
	AH	8	Zoubenko et al., "Efficient targeting of foreign genes into the tobacco plastid genome", <i>Nucleic Acids Research</i> , Vol. 22(19), pp. 3819-3824 (1994)	Appl. No. 09/113,244
	AI	8		
	AJ	8		
	AK	8		
	AL	8		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

* Copies of the listed references are either submitted herewith or were previously cited by or submitted to, the Office in a prior application. Pursuant to 37 C.F.R. §1.97(d) and MPEP §609, the indicated reference may have been previously cited by or submitted to, the Office in a prior application, where the prior application is identified by its U.S. Application Number in this Information Disclosure Statement.